REMARKS

Claims 1, 5-6, 8-10, 12 and 16-28 are pending in the present application. Claims 1, 5, 6, 8-10 and 16, 17, and 22 are amended. Claims 23-28 are new.

Claims 9 and 10 are objected to. All pending claims stand rejected under one or more of 35 U.S.C. §§ 101 and 103(a).

Reconsideration of the present application is respectfully requested in view of the above amendments and following remarks.

Claim Objections

Claims 9 and 10 are objected to due to informalities. Specifically, Claim 9 is objected to for depending on canceled claim 7. Claim 9 has been amended to depend from pending claim 6.

Further specifically, Claim 10 is objected to as reciting having a computer readable media, where it is now defined as "non-transitory" in the Specification. Claim 10 has been amended to recite "a non-transitory computer readable media" in accordance with the Specification.

The objections to the claims are believed to be overcome.

Rejections Under 35 U.S.C. § 103

Claims 1, 6, 8, 10, 16-18 and 20-22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Coloring.com in further view of Curts (Microsoft Word-Drawing Tools' p1-4, published as early as March 27, 2003).

Claim 1 recites:

A computer-implemented method for generating an image, the method comprising:
displaying a **markup language shape** on a display screen, **the markup language shape having a pattern fill element, the pattern fill element having an associated image applied as pattern content filling the markup language shape,** the pattern fill element further **having an associated first pattern color and an associated second pattern color wherein only the first pattern color and the second pattern color are used in rendering the pattern content,** wherein **the image applied as pattern content comprises only multiple shades of a color formed by a**

combination of only a first component color and a second component color <u>and having at least some intermediate shades generated by proportions of both the first component color and the second component color</u>, and wherein the image applied as the pattern content is rendered such that the first pattern color is applied as the first component color of the image and the second pattern color is applied as the second component color;

      allowing the user to select a new first pattern color;

      receiving the user's selection of the new first pattern color;

      re-rendering the image applied as the pattern content using the new first pattern color applied as the first component color of the image; and

      updating the displayed markup language shape on the display screen such that the fill sub-element has the re-rendered image applied as the pattern content.

Coloring.com discloses an online coloring book application wherein a user may select a coloring template from among a number of pre-designed coloring templates. Each coloring template comprises an outline of various fill areas that may be colored. The outline(s) are static, not editable by the user, and are rendered in a thick black line. Fill areas enclosed within a black outline can be colored by selecting a color from a color palette and then clicking, using a mouse, within the desired area to be colored. Alternatively, one or more images can be selected to fill the selected coloring area. Upon selection of color or image from the color palette, the selected area is rerendered to display the selected area filled with the selected color or image. Importantly, the outline is not part of the "fill" element of the colorable/fillable areas. The outline element is a completely different element of a shape from the fill element of the shape. As described in Curts, page 2, sections "Changing Fill Color", "Changing Line Color", and "Changing Line Style", the shape is defined by specifying different attributes (or elements), including line color, line style, fill color, etc. Furthermore, the fill color may be further defined by selecting "Fill Effects" which allows selection of fill content as a gradient, texture, pattern or picture. Cleary, in Windows drawings, the "fill" of a shape is a completely separate element from the outline of the shape.

Similarly, in rendering web pages, and as described in the Applicant's Specification at least at page 5, paragraph [0021], markup language shapes include elements such as line color, line style, fill color, etc. The outline of a shape is defined by specifying the attributes of the line color element of the shape and the line style element of the shape. The fill color element of the shape includes a pattern fill element which provides for the specification of a

pattern and of two colors to be used in rendering the pattern used as fill for the shape. (See, Specification, page 2, paragraph [0006]). For example, in Vector Markup Language (VML), as described in the Specification at page 5, paragraph [0021], the shape may specify a pattern fill element as the content of the shape, wherein the pattern fill element specifies two colors to be used to render the pattern. Alternatively, the shape may specify a single color, a gradient, or a picture (image) as its content.

The claims of the present application explicitly recite "a markup language shape **having a pattern fill element**", where "**the pattern fill element having an associated image applied as pattern content filling the markup language shape**" and "**having an associated first pattern color and an associated second pattern color wherein only the first pattern color and the second pattern color are used in rendering the pattern content**". Coloring.com does not appear to allow pattern content as the fill to the colorable areas of the template. Solid colors and images may be selected, but there does not appear to be a pattern fill available for selection. Importantly, pattern content is rendered using only the first pattern color and the second pattern color associated with the pattern fill element. Although coloring.com does appear to allow selection of various images to fill the colorable areas, the images appear to comprise more than two component colors. Thus, the images are applied as picture content and not pattern content. That is, coloring.com does not appear to provide any "image applied as pattern content" since it none of the images appear to comprises "**only a first component color and a second component color and having at least some intermediate shades generated by proportions of both the first component color and the second component color**".

Thus, coloring.com does not teach or suggest "displaying a **markup language shape** on a display screen, **the markup language shape having a pattern fill element, the pattern fill element having an associated image applied as pattern content filling the markup language shape**, the pattern fill element further **having an associated first pattern color and an associated second pattern color wherein only the first pattern color and the second pattern color are used in rendering the pattern content**, wherein **the image applied as pattern content comprises only multiple shades of a color formed by a combination of only a first component color and a second component color and having at least some intermediate shades generated by proportions of both the first component**

color and the second component color, and **wherein the image applied as the pattern content is rendered such that the first pattern color is applied as the first component color of the image and the second pattern color is applied as the second component color**".

Furthermore, once an image has been selected as the fill of a colorable area in a coloring.com template, the color(s) of the fill image do not appear to be changeable by the user. Thus, coloring.com also does not teach or suggest "**re-rendering the image applied as the pattern content using the new first pattern color applied as the first component color of the image**" as recited in Applicant's claim 1.

Curts does not make up for the deficiencies of coloring.com with respect to the limitations of Applicant's claim 1 that are missing from the coloring.com reference. Curts discloses a tutorial of Windows Drawing Tools and clearly describes on page 2 that a shape is defined by a plurality of separate elements including a line color element, a line style element, and a fill color element. Curts further discloses that the Fill Color element may be specified as a pattern fill, an image fill, a gradient fill, or a color fill. However, Curts does not teach or suggest "displaying a **markup language shape** on a display screen, **the markup language shape having a pattern fill element, the pattern fill element having an associated image applied as pattern content filling the markup language shape**, the pattern fill element further **having an associated first pattern color and an associated second pattern color wherein only the first pattern color and the second pattern color are used in rendering the pattern content**, wherein **the image applied as pattern content comprises only multiple shades of a color formed by a combination of only a first component color and a second component color and having at least some intermediate shades generated by proportions of both the first component color and the second component color**, and **wherein the image applied as the pattern content is rendered such that the first pattern color is applied as the first component color of the image and the second pattern color is applied as the second component color**". In Curts, when an image is used to fill the shape, the fill color element is specified as image fill and it renders the image as is. Furthermore, Window Word Drawing Tools do not allow the colors of the applied image to be changed. Since Windows Word Drawing Tools does not allow the association of two component colors to an image fill element nor allows changing the colors

of the rendered image at all, Curts does not teach or suggest applying an image to a pattern fill element since a pattern fill element must have two pattern colors associated with it to render the pattern.

Furthermore, Curts does not teach or suggest "**re-rendering the image applied as the pattern content** using the new first pattern color applied as the first component color of the image" since Windows Word Drawing Tools do not allow an image to be re-rendered with any different colors than the colors of the original image.

For all of the above reasons, the Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of independent Claim 1, and for similar reasons independent Claims 6, 10, 16, and 27, and each of the corresponding claims depending therefrom.

Reconsideration and withdrawal of the rejections of each of the claims is respectfully requested.
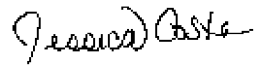
CONCLUSION

The Applicant therefore respectfully requests reconsideration and withdrawal of the 35 U.S.C. §§ 101 and 103(a) rejections of claims 1, 5, 6, 8-10, 12 and 16-28.

The Examiner is invited to call the undersigned in the event that a telephone interview may assist in the advancement of the prosecution of this application.

Respectfully Submitted,

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